Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	
2000 Biennial Regulatory Review -	)	CC Docket No. 00-229
Telecommunications Service Quality	)	
Reporting Requirements	)	

COMMENTS OF THE VERMONT ITCs

Franklin Telephone Company, Ludlow Telephone Company, Northfield Telephone Company, Perkinsville Telephone Company, Shoreham Telephone Company, STE/NE Acquisition Corp. d/b/a Northland Telephone Company of Vermont, Topsham Telephone Company, Vermont Telephone Company, Inc., and Waitsfield-Fayston Telephone Company, Inc. (collectively, the "Vermont ITCs"), by their attorney, respectfully submit these comments concerning the Notice of Proposed Rulemaking (NPRM), FCC 00-399, released November 9, 2000, in the captioned proceeding.[1] The Vermont ITCs respectfully request the Commission to refrain from imposing service quality reporting requirements on small local exchange carriers (LECs). The Vermont ITCs already file service quality reports with the Vermont Public Service Board (PSB). As

[1] 2000 Biennial Regulatory Review - Telecommunications Service Quality Reporting Requirements, CC Docket No. 00-229, Notice of Proposed Rulemaking, FCC 00-399 (rel. Nov. 9, 2000) [hereinafter NPRM].

discussed below, additional reporting requirements would be an unnecessary and inefficient use of resources.

Background

The Vermont ITCs are small LECs serving rural areas of Vermont. In 1999, the Vermont PSB issued an order requiring telecommunications service providers, including the Vermont ITCs, to compile service quality data on a monthly basis and to file service quality reports each quarter.[2] A copy of these service quality reporting requirements is enclosed.

Federal Service Quality Reports Are Unnecessary

The information required by the Vermont PSB is broader in scope than the core service quality reporting requirements proposed by the FCC,[3] and it is tailored to meet the needs of Vermont consumers and carriers, as discussed below.

Both the Vermont PSB's reporting requirements and the FCC's proposed reporting requirements include the performance areas of installations, trouble reports and repairs. But some of the

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[2] Service Quality Standards, Privacy Protections, and other Consumer Safeguards for Retail Telecommunications Service, Docket No. 5903, 194 P.U.R. 4th 353, Attachment 1 (Vt. July 2, 1999), available at http://www.state.vt.us/psb/orders/1999/jul.htm.

[3] NPRM app. B.

information is measured differently, as shown in the following three examples. First, the FCC proposes to require LECs to provide average installation intervals or the percentage installed within a specific number of days.[4] By comparison, the Vermont PSB requires LECs to provide the average delay for missed appointments.[5] These are different measurements of installation service. Second, the FCC proposes to require LECs to provide the average out-of-service intervals,[6] whereas the Vermont PSB requires LECs to provide the number of trouble reports cleared within 24 hours.[7] These are two different measurements concerning trouble reports. Third, the FCC proposes to require LECs to provide the average repair intervals or the percentage within a specific number of days,[8] whereas the Vermont PSB requires LECs to provide the average delay days for missed appointments.[9] Again, these are different measurements concerning repairs.

The Vermont PSB also requires data for performance areas that are not included in the FCC's proposed core service quality

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[4] Id. para. 29, app. B.

[5] Service Quality Standards, Attachment 1.

[6] NPRM para. 29, app. B.

[7] Service Quality Standards, Attachment 1.

[8] NPRM para. 29, app. B.

reporting requirements. For example, the Vermont PSB requires data on network reliability (i.e., service outages, interoffice facility failures, and signaling system failures). The Vermont PSB also requires data on the on-time provisioning of, and repair of, special services.[10] By comparison, the FCC's proposal does not encompass network reliability and special services.[11] And even if the FCC were to include data on network reliability or special services, the measurements could differ from those required by the Vermont PSB, just as the proposed measurements for installations, trouble reports and repairs differ from those required by the Vermont PSB.

The Vermont PSB's reporting requirements resulted from three years of proceedings involving the incumbent LECs in Vermont, consumer advocates and resellers.[12] In those proceedings, the parties agreed to Baseline and Action Level reporting and action standards that were adopted by the Vermont PSB for the benefit of retail end users.[13] As stated by the Vermont PSB, "These performance areas and standards define the

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[9] Service Quality Standards, Attachment 1.

[10] Id.

[11] NPRM app. B.

[12] See Service Quality Standards, Attachment 1 (Recitals).

[13] Id. (Recitals).

level of service and the relationship between the retail end-user customer and his or her provider."[14] Because the Vermont PSB has clearly determined what information is needed by Vermont consumers and has already required the Vermont ITCs to provide that information, there is no need for the Vermont ITCs to generate additional data for end users to use.

Moreover, the FCC states that the purpose of federal service quality reporting would be to provide data that end users could use to compare the service provided by competing LECs.[15] But none of the Vermont ITCs faces wireline local exchange competition, so there is no need for end users to compare service of competing LECs. Thus, there is no need for federal requirements to file additional service quality data.

Federal Service Quality Reports Would Be Unnecessarily Burdensome

Indeed, federal service quality reporting requirements would result in costs that far outweigh any benefit. At best, federal service quality reports would be duplicative of the reports being filed with the Vermont PSB. At worst, they could result in the unnecessary expenditure of resources that the

[14] Id. (emphasis added).

[15] E.g., NPRM para. 29.

Vermont ITCs could otherwise use to provide quality service to their customers.

Collecting and compiling the data required for the service quality reports can be a time-consuming task. Some of the Vermont ITCs have billing systems that do not automatically generate the information that they need to provide in their service quality reports. For such ITCs, some of the necessary data is obtained by manually recording it each day; other data is extracted from the billing systems. The data then is compiled according to the categories specified by the Vermont PSB. For example, one Vermont ITC estimates that it spends at least 10 hours per month recording the data and generating the reports. If the FCC were to require different data, or require the data to be provided in different formats or with different frequencies, the LEC's work would increase accordingly.

The Commission's estimate of the paperwork burden does not approach the foregoing time estimates because the Commission did not consider the burden on small LECs. The Commission states that the number of respondents is 12, and the cost to respondents is $0.[16] But if the Commission were to require small incumbent LECs to file service quality reports, the number of

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[16] 2000 Biennial Regulatory Review - Telecommunications Service Quality Reporting Requirements, 65 Fed. Reg. 75,657, 75,657 (FCC proposed Dec. 4, 2000).

respondents would be over 1300. If just half of those respondents needed to manually record data and generate the reports by hand, and if each of these companies were to spend 10 hours per month on such tasks, the total annual burden would be 78,000 hours for these 650 companies. If staff time were estimated to cost $15 per hour, the total cost to the 650 companies would exceed $1 million for staff time alone. The total cost for all incumbent LECs would be higher still. Yet, in Vermont and in other states that have already adopted service quality reporting requirements, the LECs' costs would result in little or no additional benefit to consumers.

To Minimize the Burden, the Commission Should Not Require Service Quality Reports

The Commission stated that it wants to "balance the consumer's need for information with the reporting burden on the industry."[17] The Commission also stated that it is "particularly mindful of the cost of collecting information, particularly on small carriers," and that it is "intent on minimizing such costs."[18] As shown above, the Vermont PSB has already determined what information is needed by the consumers of Vermont. There is no need to provide further information. To minimize the

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[17] NPRM para. 29.

costs of collecting information, the Commission should not impose a federal reporting burden on small LECs.

Conclusion

For the foregoing reasons, the Vermont ITCs respectfully request the Commission to refrain from requiring them to file service quality reports. The Vermont PSB has determined what reports are needed to protect consumers. Collecting data and generating the reports is already a time-consuming process for the Vermont ITCs. There is no need to impose additional reporting requirements. The costs of compliance would far outweigh the benefit to consumers.

Respectfully submitted,

FRANKLIN TELEPHONE COMPANY, LUDLOW TELEPHONE COMPANY, NORTHFIELD TELEPHONE COMPANY, PERKINSVILLE TELEPHONE COMPANY, SHOREHAM TELEPHONE COMPANY, STE/NE ACQUISITION CORP. D/B/A NORTHLAND TELEPHONE COMPANY OF VERMONT, TOPSHAM TELEPHONE COMPANY, VERMONT TELEPHONE COMPANY, INC., AND WAITSFIELD-FAYSTON TELEPHONE COMPANY, INC.

By /s/

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[18] Id.

From Service Quality Standards, Privacy Protections, and other Consumer Safeguards for Retail Telecommunications Service, Order, Docket No. 5903, 194 P.U.R. 4th 353, Attachment 1 (Vt. July 2, 1999), available at http://www.state.vt.us/psb/orders/1999/jul.htm.

EXHIBIT 1

SERVICE QUALITY PERFORMANCE AREA MEASURES AND BASELINE STANDARDS

The following Performance Area Measures, Baseline Standards, and Action Level tracking and reporting requirements apply to the retail provision of telecommunications services regardless of the method by which service is provided, and defines the standards between the retail end-user customer and his or her service provider. Carrier-to-carrier service quality standards, which will be addressed in Docket No. 5713, are necessary to enable non-facilities based providers to meet each of these retail standards except Call Answer Time - Residence.

Network Trouble Report Rate (NTRR): This standard measures customer reported troubles of regulated services to their provider of service. It includes service-affecting troubles caused by telephone plant conditions and central office conditions. The NTRR does not include reports relating to customer premise equipment, special services, interexchange carrier access services, unregulated services and subsequent reports on an existing trouble. Each company calculates the NTRR by dividing the total number of troubles by the total number of the company's Vermont access lines, then multiplying the result by 100. The Network Trouble Report Rate data is compiled monthly by company with results reported quarterly to the Public Service Board and the Department.

BASELINE STANDARD: The NTRR for each company shall not exceed an average of 4 troubles per 100 access lines per month.

ACTION LEVEL REPORT: The NTRR shall not exceed 6 troubles per 100 access lines.

% Troubles Cleared Within 24 hours Residence and Business - Out of Service: This standard measures the percentage of Vermont business and residence exchange out-of-service troubles which are repaired within 24 hours from time of receipt of the initial trouble report from the company's retail end user customer. Companies will be required to report (but will not be measured on) residential and business out-of-service troubles by each separate business class. The 24-hour period includes weekends and holidays. The percentage does not include reports relating to customer premise equipment, special services, n2 interexchange carrier access services and unregulated services. The data is compiled monthly by company and shall be reported quarterly to the Public Service Board and the Department.

BASELINE STANDARD: During year one of this service quality plan, companies shall repair no less than 60% of their reported troubles within 24 hours. The standard during year two shall be 65%, and shall be 70% every subsequent year.

ACTION LEVEL REPORT: During year one of this service quality plan, companies shall repair no less than 50% of their reported troubles within 24 hours. The standard during year two shall be 55%, and shall be 60% for every subsequent year.

Call Answer Time - Residence: This standard measures the percentage of calls answered within 20 seconds to the residential customer service and repair call centers. For companies that do not utilize an automated attendant, the timing commences upon the first audible ring and ends when the customer reaches a live attendant. For company telephone numbers answered by an automated attendant, the timing begins when the customer chooses an option presented by the automated attendant system and ends when the customer enters into the first selected option. The data is compiled monthly by company and reported quarterly to the Public Service Board and the Department. Companies with fewer than 10,000 Vermont access lines and who do not utilize an automated call administration system and/or a computerized call answering record keeping system shall be exempt from this measure. Companies utilizing a combined residence and business call center and with no answer time distinction between the service classes will provide a combined measure.

BASELINE STANDARD: Companies subject to this measure shall answer no less than 75% of calls to their residential customer service and repair call centers, or their combined residence and business call centers, whichever is applicable, within 20 seconds.

ACTION LEVEL REPORT: Companies subject to this measure shall answer no less than 60% of calls to their residential customer service and repair call centers, or their combined residence and business call centers, whichever is applicable, within 20 seconds.

Installation Appointments Met - Residence: This standard measures the percentage of customer initiated residence service requests for new, additional or transferred services that are completed on or before the original customer-negotiated appointment date. An appointment is considered missed if the service order work has not been fully completed by midnight of the appointment date due to company reasons. Service orders subject to this measurement include service requests for the initial connection of service as well as changes to the customer's existing service, (e.g., to add a feature such as Call Waiting). The missed appointment data is compiled on a monthly basis by company, and reported quarterly to the Public Service Board and the Department.

BASELINE STANDARD: Companies shall meet no less than 90% of their installation appointments on or before the original customer-negotiated appointment date.

ACTION LEVEL REPORT: Companies shall meet no less than 75% of their installation appointments on or before the original customer-negotiated appointment date.

Installation Appointments Met - Business: This standard measures the percentage of customer-initiated simple business (up to 6 lines) service requests for new, additional or transferred services that are completed on or before the original customer-negotiated appointment date. An appointment is considered missed if the service order work has not been fully completed by midnight of the appointment date due to company reasons. Service orders subject to this measurement include service requests for the initial connection of service as well as changes to the customer's existing service, (e.g., to add a feature such as Call Waiting). The missed appointment data is compiled on a monthly basis by company, and reported quarterly to the Public Service Board and the Department.

BASELINE STANDARD: Companies shall meet no less than 90% of their installation appointments on or before the original customer-negotiated appointment date.

ACTION LEVEL REPORT: Companies shall meet no less than 75% of their installation appointments on or before the original customer-negotiated appointment date.

Average Delay Days for Missed Appointments - Company Reasons - Residence: Average Delay Days for Missed Appointments - Company Reasons measures the number of business days elapsed between the original appointment negotiated with residential customers and the completion date of a service order initiated by the customer when the original appointment is missed due to conditions within the control of the company ("Company Reasons"). To calculate average delay days, the number of delay days is divided by the number of missed orders caused by Company Reasons. The average delay days data is compiled monthly and reported quarterly to the Board and the Department. A line extension is included in this measurement only if all company and customer requirements for the line extension are met and the installation appointment date is negotiated and established between the company and the customer. Requests to regrade a customer from multi-party to single-party service are excluded from this measure.

This performance area and accompanying Baseline Standard and Action Level Report will be required only if the company fails to meet the Baseline Standard for the Installation Appointments Met - Residence for any quarter, any five single months in the calendar year, or in the annual measurement. The performance area will then become effective for the company for the 12 months immediately following the month which triggered the failure. A company that continues to fail the Installation Appointments Met performance area or continues to fail the Average Delay Days Baseline Standard will be subject to the Average Delay Days performance area until the Baselines are achieved.

BASELINE STANDARD: The average delay days for missed appointments for a company subject to this measure shall not exceed 10 days.

ACTION LEVEL REPORT: The average delay days for missed appointments for a company subject to this measure shall not exceed 15 days.

Average Delay Days for Missed Appointments - Company Reasons - Business: This standard measures the number of business days elapsed between the original appointment negotiated with business customers and the completion date of a service order initiated by the customer when the original appointment is missed due to Company Reasons. To calculate average delay days, the number of delay days is divided by the number of missed orders caused by Company Reasons. The average delay days data is compiled monthly and reported quarterly to the Board and the Department. A line extension is included in this measurement only if all company and customer requirements for the line extension are met and the installation appointment date is negotiated and established between the company and the customer. Requests to regrade a customer from multi-party to single-party service are excluded from this measure.

This performance area and accompanying Baseline Standard and Action Level Report will be required only if the company fails to meet the Baseline Standard for the Installation Appointments Met - Business for any quarter, any five single months in the calendar year, or in the annual measurement. The performance area will then become effective for the company for the 12 months immediately following the month which triggered the failure. A company that continues to fail the Installation Appointments Met performance area or continues to fail the Average Delay Days Baseline Standard will be subject to the Average Delay Days performance area until the Baselines are achieved.

BASELINE STANDARD: The average delay days for missed appointments for a company subject to this measure shall not exceed 10 days.

ACTION LEVEL REPORT: The average delay days for missed appointments for a company subject to this measure shall not exceed 15 days.

Network Reliability: The Network Reliability category records major service failures that impact a significant number of customers as a result of a problem in one or more of the areas below. Companies are required to report the data defined therein. There is no baseline standard attached to this measure.

(1) Service Outage: 5,000 access lines or 10% of the company's total number of Vermont access lines, whichever is less, out of service for more than 30 minutes. This failure would result in a no dial tone condition.

(2) Interoffice Facility Failure: Interoffice call blockage impacting 30,000 access lines, 10% of a company's total Vermont access lines, whichever is less, for 30 minutes or more. Customers may have dial tone but be unable to access toll services.

(3) Signaling System Failure: Loss of interoffice calling capability from one host central office to another as a result of a Signaling System 7 (SS7) duplex failure for more than 30 minutes.

Network failures meeting one or more of the above criteria will be reported to the Department and the Board as soon as possible after the failure, but in no circumstances later than 24 hours after the failure. Failures of a less serious nature, while not considered Network Reliability failures, should be reported to the Department as soon a practical for informational purposes.

Resellers and companies providing service utilizing unbundled elements from one or more underlying carriers shall report to the Department and the Board any failure occurring within the network they utilize. The cause for the failure will be determined and the responsible carrier identified.

Special Services: Special Services represents the installation and repair of the following Intra State Services: 56 kbps or DS0 circuits; 1.544 mbps or T1/DS1 circuits; and channelized DS1 facilities capable of 24/56 kbps. Special services will be tracked and reported as follows:

(1) On-Time Provisioning: This standard measures the combined number of on-time service orders compared to the total number of dated special service orders.

(2) Mean Time to Restore: This standard measures the average time required to return a failed device, system or circuit to service. It is measured from the receipt of the initial trouble report to the completion of the repair. The measurement excludes troubles resulting from end-user premises equipment.

There is no baseline standard for special services. Companies are required to track the measurements and report them annually to the Department and the Board. The first special services report will occur with the first quarterly reports following the implementation of this plan. Thereafter, special services reports shall be made on an annual basis. For companies with fewer than 25 special services orders per month, special services provisioning results will be included in the installation appointment measurement and repair results will be included in the percentage troubles cleared within 24 hours measurement.